

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,) Case No. 3:10-00260
)
v.)
)
ABDIFITAH JAMA ADAN, et al.,)
)
Defendants.)

O R D E R

Based upon statements of counsel at the February 1, 2013 conference, the deadlines and dates for conferences, motions, evidentiary hearings, pretrial submissions and the trial of this action are as follows:

- The Exhibit Conference to review all exhibits for the Government's case-in-chief is set for **Friday, August 2, 2013 from 9:00 a.m. to 12:00 p.m.** for Defendants 1-10 and from **1:30 p.m. to 4:30 p.m.** for Defendant 11-20.
- **All pretrial motions** shall be filed by **Thursday, August 22, 2013** and responses thereto by **Monday, September 9, 2013**.
- Absent an Order or an agreed alternative date, the **evidentiary hearing on all pretrial motions requiring an evidentiary hearing** is set for **Friday, September 20, 2013 at 9:00 a.m.** Motions will be considered in the order of the date filed.
- **All plea petition(s) must be filed by Monday, September 30, 2013 at 9:00 a.m.** The plea hearing(s) is set for **September 30, 2013 at 1:30 p.m. until conclusion.**
- **All motions in limine shall be filed by Friday, October 4, 2013 with responses due by Tuesday, October 15, 2013.**
- Trial is set for **Tuesday, October 22, 2013 at 9:00 a.m. in Nashville.**

- The Court will conduct the voir dire of jury panels in sets of 28 until a jury is selected. By **Tuesday, October 8, 2013**, counsel for the parties shall file written questions for the survey to be completed by all prospective jurors. Completed juror surveys will be distributed to each counsel the day prior to the jury panel's voir dire. The Court contemplates at least four (4) jury panels daily until a jury and alternates are chosen. Given the projected length of the trial, there will be seven (7) alternate jurors. Seating charts and peremptory challenge sheets for each prospective jury panel will be provided to counsel for the parties.

During voir dire, counsel may submit additional questions for the Court's consideration to the attending Court Security Officer. Each jury panel will be out-of-court for challenges for cause and then return for peremptory challenges. The United States will have 32 peremptory challenges and each Defendant shall have two (2) peremptory challenges to be exercised independently from other Defendants. There will not be any back strikes.

- **Testimony of trial witnesses** shall commence on **Thursday and Friday October 24 and 25, 2013**.
- Thereafter, trial will commence Monday through Thursday from 9:00 a.m. until 5:00 p.m. unless additional times is necessary to finish a witness's testimony. Thereafter, trial will resume the Monday through Thursday schedule until completion.

The United States Attorney shall disclose all Jencks and Brady material by the close of business on **Thursday, September 5, 2013**. The disclosure shall be by letter to each Defendant's attorney setting forth in detail a description of the Jencks and Brady material so as to avoid any discussion at trial as to what was disclosed.¹ The United States Attorney shall file the disclosure letters under seal by the close of business on **Thursday, September 5, 2013**. See United States v. Page, No. 2-00-00016, (M.D. Tenn. 2001) (Higgins, J.) (Docket Entry No. 631).

By the close of business on **Thursday, September 5, 2013**, the United States Attorney is further ordered to disclose all Rule 404(b) material by letter to each Defendant's attorney,

¹ If a document is composed of more than one page, the number of pages shall likewise be set forth in the disclosure letter.

detailing the Rule 404(b) material. No Rule 404(b) material shall be considered at trial that is not fully described in the disclosure letter. The United States Attorney shall file the disclosure letters under seal by the close of business on **Thursday, September 5, 2013**. This order does not constitute a ruling on the admissibility of the Rule 404(b) material that is reserved to trial. See United States v. Page, No. 2-00-00016, (M.D. Tenn. 2001) (Higgins, J.) (Docket Entry No. 630).

It is so ORDERED.

ENTERED this the 21st day of February, 2013.



WILLIAM J. HAYNES, JR.
Chief Judge
United States District Court